

1 PHILLIP A. TALBERT
2 Acting United States Attorney
3 KEVIN C. KHASIGIAN
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700

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8 Attorneys for the United States

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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13
14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 CHARTER ARMS SHELTON, CT
(CHARTER 2000) PINK LADY OFF DUTY
18 REVOLVER, CAL:38, SN:16-30988,
19 WALTHER P22 CA PISTOL, CAL:22, SN:
WA272924,
PISTOL, UNKNOWN MANUFACTURER,
UNKNOWN TYPE, CAL: UNKNOWN,
SN: NONE, AND
F.N. (FN HERSTAL) FIVE-SEVEN
PISTOL, CAL: 57, SN:386313842,
Defendants.

20 2:21-MC-00069-MCE-JDP

21 STIPULATION AND ORDER EXTENDING TIME
FOR FILING A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN INDICTMENT
ALLEGING FORFEITURE

22
23 It is hereby stipulated by and between the United States of America and potential claimant Elton
24 Ward (“claimants”), by and through their respective counsel, as follows:

25 1. On or about December 6, 2020, claimant filed a claim in the administrative forfeiture
26 proceeding with the Bureau of Alcohol, Tobacco, Firearms and Explosives with respect to the above-
27 referenced firearms (hereafter “defendant firearms”), which were seized on or about October 6, 2020.

28 2. The Bureau of Alcohol, Tobacco, Firearms and Explosives has sent the written notice of

1 intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has
2 expired for any person to file a claim to the defendant firearms under 18 U.S.C. § 983(a)(2)(A)-(E), and
3 no person other than claimant has filed a claim to the defendant firearms as required by law in the
4 administrative forfeiture proceeding.

5 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
6 forfeiture against the defendant firearms and/or to obtain an indictment alleging that the defendant
7 firearms are subject to forfeiture within ninety days after a claim has been filed in the administrative
8 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
9 parties. That deadline was March 5, 2021.

10 4. By Stipulation and Order filed March 12, 2021, the parties stipulated to extend to April 5,
11 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
12 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
13 forfeiture.

14 5. By Stipulation and Order filed April 12, 2021, the parties stipulated to extend to May 3,
15 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
17 forfeiture.

18 6. By Stipulation and Order filed May 12, 2021, the parties stipulated to extend to June 2,
19 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
20 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
21 forfeiture.

22 7. By Stipulation and Order filed June 4, 2021, the parties stipulated to extend to August 31,
23 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
24 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
25 forfeiture.

26 8. By Stipulation and Order filed August 31, 2021, the parties stipulated to extend to
27 September 30, 2021, the time in which the United States is required to file a civil complaint for forfeiture
28 against the defendant firearms and/or to obtain an indictment alleging that the defendant firearms are

1 subject to forfeiture.

2 9. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
3 to October 29, 2021, the time in which the United States is required to file a civil complaint for forfeiture
4 against the defendant firearms and/or to obtain an indictment alleging that the defendant firearms are
5 subject to forfeiture.

6 10. Accordingly, the parties agree that the deadline by which the United States shall be
7 required to file a complaint for forfeiture against the defendant firearms and/or to obtain an indictment
8 alleging that the defendant firearms are subject to forfeiture shall be extended to October 29, 2021.

9 Dated: 9/29/2021

PHILLIP A. TALBERT
Acting United States Attorney

10 By: /s/ Kevin C. Khasigian
11 KEVIN C. KHASIGIAN
12 Assistant U.S. Attorney

13 Dated: 9/29/2021

/s/ Daniel L. Olsen
DANIEL L. OLSEN
Attorney for potential claimant
Elton Ward

14
15 (Signature authorized by phone)

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17 IT IS SO ORDERED.

18 Dated: September 30, 2021

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MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE